IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 1610 OF 2005.

Baban Kisan Pawar. ... Appellant.
Versus.
Anusayabai Walu Pawar & others. ... Respondents.

Shri Kishor Patil i/by Shri P.N.Joshi for the Appellant.

CORAM : ABHAY S.OKA, J.

DATED : 23rd MARCH, 2006.

P.C.:

1. Heard the learned Advocate appearing for the Appellant. The Second Appeal is preferred by the original Defendant No.1. There is a decree for partition and separate possession passed in favour of the original Plaintiff by the trial Court and the same has been confirmed in Appeal preferred by the present Appellant to the District Court. After having heard the learned Advocate for the Appellant, I find that no substantial question of law arises. The Courts below have relied upon the admissions given by the Appellant during the course of his cross-examination. If the findings of fact recorded by the Courts below are based on admission of the Appellant, no interference is called for in Second Appeal. No substantial question of law arises and the Appeal is rejected.

Judge.